

shall be decided in writing by the contracting officer. The borrower may request the contracting officer to reconsider any such decision, which reconsideration shall be promptly undertaken. If not satisfied with the contracting officer's final decision, the borrower, upon receipt of such written decision, may appeal the decision within 60 days in writing to the Chairman, Financial Assistance Appeals Board (FAAB), Department of Energy, Washington, DC 20585. The Board shall proceed in accordance with the Department of Energy's rules and regulations for such purpose. The decision of the Board with respect to such appeals shall be the final decision of the Secretary.

PART 810—ASSISTANCE TO FOREIGN ATOMIC ENERGY ACTIVITIES

Sec.

- 810.1 Purpose.
- 810.2 Scope.
- 810.3 Definitions.
- 810.4 Communications.
- 810.5 Interpretations.
- 810.6 Authorization requirement.
- 810.7 Generally authorized activities.
- 810.8 Activities requiring specific authorization.
- 810.9 Restrictions on general and specific authorization.
- 810.10 Grant of specific authorization.
- 810.11 Revocation, suspension, or modification of authorization.
- 810.12 Information required in an application for specific authorization.
- 810.13 Reports.
- 810.14 Additional information.
- 810.15 Violations.
- 810.16 Effective date and savings clause.

AUTHORITY: Secs. 57, 127, 128, 129, 161, and 223, Atomic Energy Act of 1954, as amended by the Nuclear Non-Proliferation Act of 1978, Pub. L. 95-242, 68 Stat. 932, 948, 950, 958, 92 Stat. 126, 136, 137, 138 (42 U.S.C. 2077, 2156, 2157, 2158, 2201, 2273); Sec. 104 of the Energy Reorganization Act of 1974, Pub. L. 93-438; Sec. 301, Department of Energy Organization Act, Pub. L. 95-91.

SOURCE: 51 FR 44574, Dec. 10, 1986, unless otherwise noted.

§ 810.1 Purpose.

These regulations implement section 57b of the Atomic Energy Act which empowers the Secretary of Energy to

authorize U.S. persons to engage directly or indirectly in the production of special nuclear material outside the United States. Their purpose is to:

- (a) Indicate activities which have been generally authorized by the Secretary of Energy and thus require no further authorization;
- (b) Indicate activities which require specific authorization by the Secretary and explain how to request authorization; and
- (c) Explain reporting requirements for various activities.

§ 810.2 Scope.

10 CFR part 810:

(a) Applies to all persons subject to the jurisdiction of the United States who engage directly or indirectly in the production of special nuclear material outside the United States.

(b) Applies to activities conducted either in the United States or abroad by such persons or by licensees, contractors or subsidiaries under their direction, supervision, responsibility or control.

(c) Applies, but is not limited to, activities involving nuclear reactors and other nuclear fuel cycle facilities for the following: fluoride or nitrate conversion; isotope separation (enrichment); the chemical, physical or metallurgical processing, fabricating, or alloying of special nuclear material; production of heavy water, zirconium (hafnium-free or low-hafnium), nuclear-grade graphite, or reactor-grade beryllium; production of reactor-grade uranium dioxide from yellowcake; and certain uranium milling activities.

(d) Does not apply to exports licensed by the Nuclear Regulatory Commission.

§ 810.3 Definitions.

As used in part 810:

Agreement for cooperation means an agreement with another nation or group of nations concluded under sections 123 or 124 of the Atomic Energy Act.

Atomic Energy Act means the Atomic Energy Act of 1954, as amended.

Classified information means National Security Information classified under